

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

SIGNIFY NORTH AMERICA  
CORPORATION and SIGNIFY  
HOLDING B.V.

Plaintiffs,

v.

EGLO LEUCHTEN GMBH and EGLO  
HONG KONG LIGHTING LTD

Defendants.

Civil Action No. 6:22-cv-00812-ADA

**JURY TRIAL DEMANDED**

**CASE READINESS STATUS REPORT**

Plaintiffs Signify North America Corporation and Signify Holding B.V. (collectively “Signify” or “Plaintiffs”) and Defendants EGLO Leuchten GmbH and EGLO Hong Kong Lighting Ltd. (collectively, “EGLO” or “Defendants”) hereby provide the following status report.

**SCHEDULE**

A scheduling order has not yet been filed. No Markman date or trial date has been set or proposed. The parties intend to circulate a proposed schedule within the next two weeks.

**FILING AND EXTENSIONS**

Signify’s Complaint was filed on July 25, 2022. (Dkt. 1.) EGLO filed an unopposed motion for extension of time for 90 days to file an answer or otherwise respond to Signify’s Complaint. (Dkt. 17).

**RESPONSE TO THE COMPLAINT**

EGLO filed an Answer to the Complaint on November 21, 2022. (Dkt. 20). No counterclaims were filed.

### **PENDING MOTIONS**

There is no currently-pending motion in this case.

### **RELATED CASES IN THIS JUDICIAL DISTRICT**

There are no related cases in this District.

### **IPR, CBM, AND OTHER PGR FILINGS**

There are no known IPR, CBM, or other PGR filings.

### **NUMBER OF ASSERTED PATENTS AND CLAIMS**

Signify has asserted that EGLO infringes 54 claims of nine patents, as follows:

- (1) U.S. Patent No. 7,182,480 (“the ’480 Patent”), claims 1, 2, 3, 13, 14, and 15.
- (2) U.S. Patent No. 7,256,554 (“the ’554 Patent”), claims 1, 2, 5, 6, 46, 47, 49, 50, and 51.
- (3) U.S. Patent No. 7,737,643 (“the ’643 Patent”), claim 25.
- (4) U.S. Patent No. 8,070,328 (“the ’328 Patent”), claims 1, 5, 6, 7, 9, 10, 14, and 15.
- (5) U.S. Patent No. 8,348,479 (“the ’479 Patent”), claims 1, 2, 4, 5, 13, 14, 16, 19, and 20.
- (6) U.S. Patent No. 7,543,956 (“the ’956 Patent”), claims 1 and 2.
- (7) U.S. Patent No. 7,852,017 (“the ’017 Patent”), claims 1, 2, 3, 6, 7, 9, 11, 12, 14, 15, 16, 21, and 22.
- (8) U.S. Patent No. 8,963,449 (“the ’449 Patent”), claims 1, 10, 19, and 24.
- (9) U.S. Patent No. 8,174,204 (“the ’204 Patent”), claims 1 and 10.

Signify served Preliminary Infringement Contentions on December 5, 2022.

### **APPOINTMENT OF TECHNICAL ADVISOR**

The parties have met and conferred. Plaintiff believes that appointment of a technical advisor would aid the Court. Defendants do not believe a technical advisor is necessary for this case.

**MEET AND CONFER STATUS**

Parties have met and conferred and have one pre-*Markman* issue to raise at the CMC.

Defendants seek limited discovery of a discrete set of Plaintiff's licenses to the Patents-in-Suit to be produced within a reasonable amount of time pre-*Markman* to facilitate the parties' ongoing settlement discussions, pursuant to OGP 4.2 Section III. Plaintiff publicly represents that the Patents-in-Suit (and/or related patents) have been the subject of thousands of licenses. These documents may help establish an effective royalty for the Patents-in-Suit as recognized by the *Georgia Pacific* case and will facilitate the possibility of an early resolution of this matter. To further aid settlement discussions, Defendant is likewise willing to produce a discrete set of sales information regarding the Accused Products pre-*Markman*.

Plaintiff does not seek pre-*Markman* discovery and believes that, absent agreement between the parties, the Court should not require the parties to engage in this burdensome discovery prior to *Markman*. See Standing Order Governing Proceedings (OGP) 4.2—Patent Cases, p. 3 n.2 (“To the extent it may promote early resolution, the Court encourages the parties to exchange license and sales information, but *any such exchange is optional during the pre-Markman phase of the case.*” (emphasis added)). No “exceptional circumstances” exist in this case that warrant Defendant's requested pre-*Markman* discovery. *Id.* at 3 (“Notwithstanding this general stay of discovery, the Court will permit limited discovery by agreement of the parties, or upon request, where exceptional circumstances warrant it.”).

Dated: January 10, 2023

Respectfully submitted,

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